

STATEMENT OF BASIS (AI No. 93712)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0115738 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: AEP Elmwood, LLC
Cleaning Barge Bourg 103
P.O. Box 1148
Harvey, Louisiana 70059

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Yvonne Baker

DATE PREPARED: January 27, 2006

1. PERMIT STATUS

A. Reason For Permit Action:

First time issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit - NA

C. LWDPS permit - NA

D. Date Application Received: November 9, 2001. Comments letter received on July 12, 2002, additional information received October 9, 2002, July 27, 2004, and October 4, 2004.

E. A draft permit (LA0115738) for the Cleaning Barge Bourg 103 was previous issued on June 18, 2002 and was public noticed in the following newspapers:

June 19, 2002:	<i>The Advocate</i> of Baton Rouge <i>St. Charles Herald-Guide</i> of Boutte <i>The Enterprise</i> of Vacherie <i>L'Observateur</i> of LaPlace
June 20, 2002:	<i>West Side Journal</i> of Port Allen <i>Plaquemine Post/South</i> of Plaquemine <i>The Donaldsonville Chief</i> of Donaldsonville <i>The Times Picayune</i> of New Orleans
June 21, 2002:	<i>Gonzales Weekly</i> of Gonzales <i>The St. Bernard Voice</i> of Arabi <i>The Plaquemines Gazette</i> of Belle Chasse

The company requested to make substantial changes to the draft permit in a comments letter received July 12, 2002. The Office felt that it was appropriate to re-public notice the draft permit with the changes.

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY – mobile barge cleaning service

The previous issued draft permit proposed to authorize the discharge of washwater from grain barges only. The following changes have been made to the previous issued draft permit:

1. The flow for Outfall 001 has been changed to a maximum flow of 50,000 GPD
2. An outfall for coal and coke washwater has been added.
3. The company name has been change to AEP Elmwood, LLC.
4. The following commodities have been added to the authorized commodity list:

Hard Grain, Grain Products, Pellets, Meal, Wood Chips, Timber/Wood Products, Dunnage, Sugar and Glucose Products, Glass, Fiberglass dust from barge cover repairs, Bauxite, Barite, Ore Products, Talc and Clay Products, Anode Butts, Clay Ore, Scrap Iron/Steel, Wire and Carbon Rods, Iron Ore, Selestite Ore, Ferrite Magnesium, Magnesite, Magnealte, Slag, Copper, Cooper Tin Oxide, Cement, Spodumene, Alumina, Aluminum Hydrate, Gypsum, Fly Ash, Fluorspar, General Fertilizers, Nitrates (Calcined and non Calcined), Phosphates, Ammonium Phosphates, Sulfates (Ferrous/Ammonium), Soda Ash, Urea, Salt, Aggregate, Sand, Lime, Limestone/Rock, Dredged Spoil, Rubber Tires, Coal, Coke

5. The addition of dry dock discharge volumes to Outfall 003B has been added.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II, as per LAC33:IX.1319 Table I and SIC 4463. In Appendix A - Section IV (Relation of 1987 to 1977 Industries) of the Standard Industrial Classification Manual, the SIC code 4491 is equivalent to a previous SIC code of 4463
3. Wastewater Type: II
4. SIC code: 4499 and 4491

C. LOCATION – At various locations on the Mississippi River between River Mile 55 and 242.4 AHP in Plaquemines, St. Bernard, Orleans, Jefferson, St. Charles, St. John the Baptist, St. James, Ascension, Iberville, East Baton Rouge and West Baton Parishes.

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: dry commodity barge washwater

Treatment: none

Location: at the point of discharge from the barge being washed

Flow: 50,000 GPD

Discharge Route: to the Mississippi River

Outfall 002

Discharge Type: coal and coke barge washwater
Treatment: none
Location: at the point of discharge from the barge
Flow: 50,000 GPD
Discharge Route: to the Mississippi River

Outfall 03A

Discharge Type: incoming ballast and void water from customer barges
Treatment: none
Location: at the point of discharge from the customer barge wing/void tanks
Flow: 5,000 GPD
Discharge Route: to the Mississippi River

Outfall 03B

Discharge Type: maintenance ballast and void water and dry dock ballast water
Treatment: none
Location: at the point of discharge from the customer barge wing/void tanks
Flow: 5,000 GPD
Discharge Route: to the Mississippi River

4. RECEIVING WATERS

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. fish and wildlife propagation
d. drinking water supply

5. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale on page 5.

6. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

1. WQMD: There are no open, appealed, or pending OEC enforcement actions as of January 31, 2006.
2. DMR Review: There are no DMR's for this facility, as this is the initial issuance of an LPDES permit.

7. 303(d) LISTED WATERBODIES

The discharges from AEP Elmwood, LLC, Cleaning Barge Bourg 103 are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2004 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

8. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon and migratory waterfowl, which are listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated 10/21/05 from Watson (FWS) to Gautreaux (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon and migratory waterfowl. Effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. The more stringent of technology and water quality based limits (as applicable) have been applied to ensure maximum protection of the receiving water.

9. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

10. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

11. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Statement of Basis for
AEP Elmwood, LLC, Cleaning Barge Bourg Facility
LA0115738, AI No. 93712
Page 5

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

Rationale for AEP Elmwood, LLC

1. **Outfall 001:** dry commodity barge washwater

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges previously containing dry commodities including: Hard Grain, Grain Products, Pellets, Meal, Wood Chips, Timber/Wood Products, Dunnage, Sugar and Glucose Products, Glass, Fiberglass dust from barge cover repairs, Bauxite, Barite, Ore Products, Talc and Clay Products, Anode Butts, Clay Ore, Scrap Iron/Steel, Wire and Carbon Rods, Iron Ore, Selestite Ore, Ferrite Magnesium, Magnesite, Magnealte, Slag, Copper, Cooper Tin Oxide, Cement, Spodumene, Alumina, Aluminum Hydrate, Gypsum, Fly Ash, Fluorspar, General Fertilizers, Nitrates (Calcined and non Calcined), Phosphates, Ammonium Phosphates, Sulfates (Ferrous/Ammonium), Soda Ash, Urea, Salt, Aggregate, Sand, Lime, Limestone/Rock, Dredged Spoil, Rubber Tires, Coal, Coke. Best Management Practices (BMPs) for barge operations are listed in Part II.

2. **Outfall 002:** coal and coke barge washwater

<u>Pollutant</u>	<u>Limitation</u> Mthly Avg:Daily Max (mg/l)	<u>Reference</u>
Flow-MGD	Report:Report	LAC 33:IX.2701.I.1.b
COD	250:400	Similar Discharges; BPJ
TSS	Report:Report	Similar Discharges; BPJ
pH	6.0 - 9.0 s.u.	Similar Discharges; BPJ

BPJ Best Professional Judgment

Treatment: none

Monitoring Frequency: TSS shall be observed once per month and Flow, COD and pH shall be observed once per week at the point of discharge from the barge being washed.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities.

3. **Outfall 03A:** incoming ballast and void wastewater from customer barges
Outfall 03B: maintenance ballast and void wastewater and dry dock ballast water*

<u>Pollutant</u>	<u>Limitation</u> Mthly Avg:Daily Max (mg/l)	<u>Reference</u>
Flow	Report:Report	LAC 33:IX.2701.I.1.b
COD	---:250	Similar Discharges; BPJ
Oil & Grease	---:15	Similar Discharges; BPJ
pH	6.0 - 9.0s.u.	Similar Discharges; BPJ

BPJ Best Professional Judgment

Treatment: none

Monitoring Frequency: Flow, COD, Oil & Grease and pH shall be observed once per week at the point of discharge from the incoming customer barge/vessel.

*The measurement frequency for Outfall 03B for the discharge of maintenance ballast and dry dock ballast water shall be 1/month whenever sampling is required.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities.

This facility is not subject to Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442, because, in accordance with 40 CFR 442.1.a, "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos." This facility does not clean tanks. Only open top hopper barges are cleaned.

Storm Water Pollution Prevention Plan (SWP3) Requirement

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1.b, stormwater discharges that are associated with industrial activity shall be monitored. In accordance with LAC 33:IX.2511.B.14, SIC codes 4499 and 4491 are considered to be associated with industrial activity. However, an SWP3 is not included in the permit because the facility is a water related operation only. Barge BMPs are comparable to the SWP3 requirements; therefore, the barge BMPs will be applied instead.